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Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05A EXCESSIVE FORCE / ON DUTY - INJURY	CLOSED HAND STRIKE (PUNCH)	AFTER ARREST, PRIOR TO PROCESSING (E.G. DURING TRANSPORT)	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1007272 Type:CR

Accused Members

Review	Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View	PREIB, MARTIN	CLOSED/FINAL	NOT SUSTAINED	-	-	-	05-JUL-2007	N/A
View	ROMERO, JOSE	CLOSED/FINAL	NOT SUSTAINED	-	-	-	14-OCT-2009	N/A
View	DUIGNAN, JAMI	CLOSED/FINAL	NOT SUSTAINED	-	-	-	14-OCT-2009	N/A
View	Unknown	CLOSED/FINAL	NOT SUSTAINED	-	-	-	21-OCT-2009	N/A

row(s) 1 - 4 of 4

Attachments

No. Type			Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View	1	FACE SHEET	N/A	-	-	-	STEWART, DENISE	JUL-05-2007 16:07	-	-	-
View	2	CONFLICT CERTIFICATION	N/A	-	-	-	DEAN, BRUCE	JUL-06-2007 13:21	-	-	-
View	3	CONFLICT CERTIFICATION	N/A	-	-	-	MERRITT, THERESA	JUL-11-2007 10:29	-	-	-
View	4	INTERVIEW-REPORTING PARTY	N/A	2	-	YES	MERRITT, THERESA	MAR-28-2008 15:41	APPROVED	-	YES
View	5	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:42	APPROVED	-	YES
View	6	INTERVIEW - WITNESS	N/A	2	-	YES	MERRITT, THERESA	MAR-28-2008 15:42	APPROVED	-	YES
View	7	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:43	APPROVED	-	YES
View	8	ARREST REPORT	N/A	5	-	YES	MERRITT, THERESA	MAR-28-2008 15:43	APPROVED	-	YES
View	9	GENERAL OFFENSE CASE REPORT	N/A	2	-	YES	MERRITT, THERESA	MAR-28-2008 15:44	APPROVED	-	YES
View	10	P.C.A.D. (PCAD) REPORTS	N/A	4	-	YES	MERRITT, THERESA	MAR-28-2008 15:44	APPROVED	-	YES

View	11	REPORT (OTHER)	N/A	1	Report of Supv. Freeman	YES	MERRITT, THERESA	MAR-28-2008 15:44	APPROVED -	YES
View	12	REPORT (OTHER)	N/A	1	Report of Inv. Kamalick	YES	MERRITT, THERESA	MAR-28-2008 15:45	APPROVED -	YES
View	13	CRIME SCENE PROCESSING REPORT	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:46	APPROVED -	YES
View	14	PHOTOGRAPH	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:48	APPROVED -	YES
View	15	PHOTOGRAPH	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:48	APPROVED -	YES
View	16	PHOTOGRAPH	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:49	APPROVED -	YES
View	17	PHOTOGRAPH	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:49	APPROVED -	YES
View	18	CANVASS SHEETS	N/A	2	-	YES	MERRITT, THERESA	MAR-28-2008 15:50	APPROVED -	YES
View	19	REPORT (OTHER)	N/A	1	Certified mail receipt	YES	MERRITT, THERESA	MAR-28-2008 15:51	APPROVED -	YES
View	20	REPORT (OTHER)	N/A	1	Medical Record Request Cover Letter	YES	MERRITT, THERESA	MAR-28-2008 15:51	APPROVED -	YES
View	21	CONSENT BY PATIENT TO DISCLOSURE OF INFORMATION	N/A	1	-	YES	MERRITT, THERESA	MAR-28-2008 15:52	APPROVED -	YES
View	22	MEDICAL RECORDS	N/A	12	-	YES	MERRITT, THERESA	MAR-28-2008 15:53	APPROVED -	YES
View	23	ATTENDANCE AND ASSIGNMENT RECORD	N/A	6	-	YES	MERRITT, THERESA	MAR-28-2008 15:53	APPROVED -	YES
View	24	REPORT (OTHER)	N/A	1	REQUIRED FROM MARTIN PREIB #19156; JOSE ROMERO #12304; JAMI DUIGNAN #6020	-	BROWN, DANITA	OCT-14-2009 11:02	APPROVED -	YES
View	25	REPORT (OTHER)	N/A	1	QUESTIONS TO BE ADDRESSED- MARTIN PREIB #19156	-	BROWN, DANITA	OCT-14-2009 11:04	APPROVED -	YES
View	26	STATEMENT OF POLICE OFFICER	N/A	1	MARTIN PREIB #19156	-	BROWN, DANITA	OCT-14-2009 11:04	APPROVED -	YES
View	27	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	MARTIN PREIB #19156	-	BROWN, DANITA	OCT-14-2009 11:05	APPROVED -	YES
View	28	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	MARTIN PREIB #19156	-	BROWN, DANITA	OCT-14-2009 11:06	APPROVED -	YES
View	29	REPORT (OTHER)	N/A	1	QUESTIONS TO BE ADDRESSED- JOSE ROMERO #12304	-	BROWN, DANITA	OCT-14-2009 11:07	APPROVED -	YES
View	30	STATEMENT OF POLICE OFFICER	N/A	1	JOSE ROMERO #12304	-	BROWN, DANITA	OCT-14-2009 11:08	APPROVED -	YES
View	31		N/A	1		-			APPROVED -	YES

		NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)			JOSE ROMERO #12304		BROWN, DANITA	OCT-14-2009 11:09		
View	32	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	JOSE ROMERO #12304	-	BROWN, DANITA	OCT-14-2009 11:09	APPROVED -	YES
View	33	REPORT (OTHER)	N/A	1	QUESTIONS TO BE ADDRESSED= JAMI DUIGNAN #6020	-	BROWN, DANITA	OCT-14-2009 11:11	APPROVED -	YES
View	34	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	JAMI DUIGNAN #6020	-	BROWN, DANITA	OCT-14-2009 11:12	APPROVED -	YES
View	35	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	JAMI DUIGNAN #6020	-	BROWN, DANITA	OCT-14-2009 11:13	APPROVED -	YES
View	36	STATEMENT OF POLICE OFFICER	N/A	2	JAMI DUIGNAN 6020	-	BROWN, DANITA	OCT-14-2009 11:14	APPROVED -	YES
View	37	REPORT (OTHER)	N/A	1	REQUIRED FROM JOHN BARANOWSKI #2188; JEFFERY PACOCHA #6964; JOSEPH ZACCANINO #11001; ROSARIO LAZZARA #16546	-	BROWN, DANITA	OCT-14-2009 11:16	APPROVED -	YES
View	38	REPORT (OTHER)	N/A	1	QUESTIONS TO BE ADDRESSED	-	BROWN, DANITA	OCT-14-2009 11:17	APPROVED -	YES
View	39	STATEMENT OF POLICE OFFICER	N/A	1	JOHN BARANOWSKI #2188;	-	BROWN, DANITA	OCT-14-2009 11:19	APPROVED -	YES
View	40	STATEMENT OF POLICE OFFICER	N/A	1	JEFFERY PACOCHA #6964	-	BROWN, DANITA	OCT-14-2009 11:19	APPROVED -	YES
View	41	STATEMENT OF POLICE OFFICER	N/A	1	JOSEPH ZACCAGNINO #11001	-	BROWN, DANITA	OCT-14-2009 11:20	APPROVED -	YES
View	42	STATEMENT OF POLICE OFFICER	N/A	1	ROSARIO LAZZARA #16546	-	BROWN, DANITA	OCT-14-2009 11:21	APPROVED -	YES
View	43	REPORT (OTHER)	N/A	1	PERSONNEL ACTION REQUEST- JOSE ROMERO #12304	-	BROWN, DANITA	OCT-14-2009 11:23	APPROVED -	YES
View	44	REPORT (OTHER)	N/A	1	JOSE ROMERO #12304	-	BROWN, DANITA	OCT-14-2009 11:24	APPROVED -	YES
View	45	INVESTIGATOR CASE LOG	N/A	2	-	-	BROWN, DANITA	OCT-14-2009 11:24	APPROVED -	YES
View	-	SUMMARY REPORT DIGEST	N/A	7	-	NO	FREEMAN, NATHANIEL	OCT-27-2009 10:04	APPROVED -	YES

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Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents

 **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History

 **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED/FINAL	09-NOV-2009 12:47	MCGHEE, CYNTHIA	CLERK 3		113 / -	-
CLOSED AT C.O.P.A.	09-NOV-2009 12:47	MCGHEE, CYNTHIA	CLERK 3		113 / -	-
PENDING IMPLEMENT ACTION	06-NOV-2009 15:27	ROTTNER, BRUCE	DEP CHIEF		142 / 213	-
PENDING COMMAND CHANNEL REVIEW	05-NOV-2009 16:33	WICK, MICHAEL	COMMANDER		024 / -	-
PENDING COMMAND CHANNEL REVIEW	04-NOV-2009 09:57	MAHONEY, DANIEL	PO LEGAL OFF 2		121 / -	-
PENDING ADVOCATE REVIEW	04-NOV-2009 09:54	JONES, JANEEN	POLICE OFFICER		121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	29-OCT-2009 10:53	HENDERSON, PAMELA	CLERK 3		113 / -	-
CLOSED AT C.O.P.A.	29-OCT-2009 10:51	HENDERSON, PAMELA	CLERK 3		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	27-OCT-2009 10:06	FREEMAN, NATHANIEL	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	22-OCT-2009 14:54	MERRITT, THERESA	INVESTIGATOR I COPA		113 / -	-
PENDING INVESTIGATION	06-JUL-2007 13:21	DEAN, BRUCE	SUPERVISING INV COPA		113 / -	Type Changed from INFO to CR on 06-JUL-2007 13:21 by DEAN, BRUCE
PENDING ASSIGN INVESTIGATOR	06-JUL-2007 09:20	FAKUADE, JOSEPH	COOR OPERATIONS COPA		113 / -	-
PENDING ASSIGN TEAM	05-JUL-2007 20:51	FREEMAN, NATHANIEL	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	05-JUL-2007 16:21	STEWART, DENISE	INTAKE AIDE		113 / -	-
PRELIMINARY	05-JUL-2007 16:07	STEWART, DENISE	INTAKE AIDE		113 / -	-

row(s) 1 - 15 of 15

Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
PREIB, MARTIN	1	WICK, MICHAEL
PREIB, MARTIN	2	ROTTNER, BRUCE
ROMERO, JOSE	1	WICK, MICHAEL
ROMERO, JOSE	2	ROTTNER, BRUCE
DUIGNAN, JAMI	1	WICK, MICHAEL
DUIGNAN, JAMI	2	ROTTNER, BRUCE

row(s) 1 - 6 of 6



SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1007272TYPE
CRDATE OF REPORT
21-OCT-2009

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
DAVIS, THERESA	9183			113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS:		DATE / TIME:03-JUL-2007 22:01	BEAT: 2432
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
PREIB, MARTIN P	9161	19156				M / WHI	-1963	-2002	YES	YES
ROMERO, JOSE L	9161	12304				M / S	-1973	-2004	YES	YES
DUIGNAN, JAMI L	9161	6020				F / WHI	-1977	-2002	YES	YES
UNKNOWN						/			UNK	UNK

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M / WHI	

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M / WHI	

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
BARANOWSKI, JOHN	RANK: 9171,STAR NO: 2188,EMP NO:			M / WHI	-1960 / 49
LAZZARA, ROSARIO	RANK: 9161,STAR NO: 16546,EMP NO:			M / WHI	-1980 / 29
PACOCOA, JEFFREY	RANK: 9161,STAR NO: 6964,EMP NO:			M / WHI	-1975 / 34
ZACCAGNINO, JOSEPH	RANK: 9161,STAR NO: 11001,EMP NO:			M / WHI	-1977 / 32
				F / WHI	

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1007272

TYPE

CR

DATE OF REPORT

21-OCT-2009

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED**, **UNFOUNDED**, **NOT SUSTAINED**, **NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed Five (5) **DAYS SUSPENSION**.

ALLEGATIONS

SEE PAGE 4

SUMMARY

SEE PAGE 5

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
1, 4, 6	26, 30, 36, 28	14-17, 22	45

FINDINGS - RECOMMENDATIONS

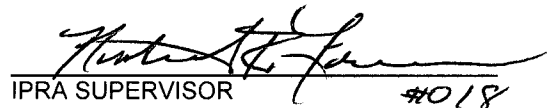
ACCUSED: OFFICER MARTIN PREIB
ALLEGATIONS #1-2: NOT SUSTAINED

ACCUSED: OFFICER JOSE ROMERO
ALLEGATIONS #1-2: NOT SUSTAINED

ACCUSED: OFFICER JAMI DUIGNAN
ALLEGATIONS #1-3: NOT SUSTAINED

ACCUSED: UNKNOWN OFFICER
ALLEGATION #1: NOT SUSTAINED

APPROVED:


IPRA SUPERVISOR #018

DATE INITIATED
(Date incident was received for investigation)

06-JUL-2007

DATE COMPLETED (Date of this report)

21-OCT-2009

ELAPSED TIME
(Total time expressed in days)

838

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE



ALLEGATIONS:

On 05 July 2007, at 1607 hours, the complainant, [REDACTED] telephoned the Independent Police Review Authority and registered this complaint with Intake Aide Denise Stewart, Emp.# [REDACTED] [REDACTED] alleged that on 03 July 2007, at 2201 hours, at [REDACTED] Officer Martin Preib, #19156, Unit [REDACTED]:

- 1) slapped him on the face; and
- 2) handcuffed him too tightly.

[REDACTED] also alleged that on the same date, time, and location, Officer Jose Romero, #12304, Unit [REDACTED]:

- 1) punched him on the face; and
- 2) handcuffed him too tightly.

[REDACTED] further alleged that on the same date, time, and location, Officer Jami Duignan, #1769, Unit [REDACTED]:

- 1) slapped him on the face;
- 2) called him a "Pork Chop;" and
- 3) called him a "Roach."

[REDACTED] further alleged that on the same date, time, and location, an Unidentified Officer:

- 1) kicked him about the body.

INVESTIGATION:

In a statement with IPRA, complainant [REDACTED] stated that he was on his back porch with his six and seven year old grandchildren and he let them light two firecrackers. About twenty minutes later, two officers, now known as Officers Romero and Preib via Department reports, arrived at [REDACTED] back gate and banged on the gate. Officers Romero and Preib asked [REDACTED] to open the gate because they received a call about gunshots at his address but [REDACTED] refused to open the gate. [REDACTED] stated that he refused to open the gate because Officers Romero and Preib had their guns drawn and his grandchildren were "traumatized." Officers Romero and Preib used another entry through a neighbor's apartment to access [REDACTED]. Officers Romero and Preib had put their weapons away by the time they reached [REDACTED]. [REDACTED] stated that the taller of the two officers, now known as Officer Preib via Department records, asked [REDACTED] to put his hands behind his back and he complied. Officer Preib handcuffed [REDACTED] and slapped him on the left side of his face. Officer Romero then punched [REDACTED] on the left side of his face. Officers Preib and Romero escorted [REDACTED] to the alley where several officers were waiting. [REDACTED] was placed in the back seat of a squad car. As [REDACTED] sat in the squad car an unidentified officer kicked him on his left side and closed the door. A female/white officer opened the squad car door and slapped [REDACTED] on the left side of his face and called him a "pork chop" and a "roach." [REDACTED] was transported to the 024th District Station and subsequently taken to [REDACTED] because both of his wrists were bleeding and he was suffering from an asthma attack. [REDACTED] stated that he sustained swollen wrists and pain on the left side of his ribs. (Att.4)

The Chicago Police Department Event Query indicates that an unidentified caller called "911" three times reporting a man with a gun and throwing firecrackers on the second floor of the back porch at [REDACTED]. In addition to Officers Romero and Preib, Beats [REDACTED] (Officers Rosario Lazzara and Jeffrey Pacocha), [REDACTED] (Officers Jami Duignan and Joseph Zaccagnino), and [REDACTED] (Sgt. John Baranowski) responded. (Att.10, 23)

Department records indicate that Officer Jami Duignan was the only female officer that responded to scene of the alleged incident. (Att. 10, 23)

Evidence Technician Photographs depict lacerations to both of [REDACTED] wrists. In an Observation of Injury Report, Investigator Dennis Kamalick, #282, also observed small lacerations on the thumb side of both of [REDACTED] wrists. (Att.12,14-17)

[REDACTED] Medical Records from [REDACTED] indicates that he was diagnosed with asthma exacerbation, contusion to the chest, and wrist superficial lacerations. (Att.22)

In a statement with IPRA, witness [REDACTED] stated that she was at home on her back landing when she heard [REDACTED] grandchildren crying out to her stating, "They

INVESTIGATION (continued):

arresting pop,” referring to [REDACTED]. [REDACTED] went to her landing’s stairwell and [REDACTED] grandchildren came over to her. A sergeant told [REDACTED] to stay on her side of the landing and she complied. [REDACTED] observed officers place [REDACTED] against a fence handcuffed. [REDACTED] also saw officers on the landing and looking in garbage cans. The officers took [REDACTED] down to the alley and put him in the back seat of a squad car. A female officer opened the squad car door and slapped [REDACTED] on his face. The officers then transported [REDACTED] away from the scene. (Att.6)

[REDACTED] Arrest Report and Vice Case report indicate that officers responded to a call of a man with a gun and using fireworks at [REDACTED] on the second story rear porch. Officers observed [REDACTED] matching the description and placed him under arrest. A custodial search of [REDACTED] revealed a small plastic bag containing a green leafy substance, suspect cannabis. After [REDACTED] was placed into custody he became highly agitated thrashing about the car and attempting to pull his arms in front of his body despite repeated orders to desist by officers. Upon arrival at the 024th District Station, officers observed [REDACTED] with small lacerations on his wrists from thrashing in the squad car in handcuffs and transported him to [REDACTED] for treatment. [REDACTED] was charged with Sale/Use/Explosion of Fireworks and Possession of Cannabis. (Att.8,9)

A canvass of the location of incident produced no additional witnesses. (Att.18)

In a To-From-Subject-Report, witness Sergeant Baranowski and Officers Pacocha, Zaccagnino, and Lazzara denied observing Officers Preib, Romero, Duignan, or any officer commit the alleged allegations. (Att.39,40,41,42)

In a To-From-Subject-Report, accused Officer Preib stated essentially the same information provided in [REDACTED] Arrest and Vice Case Reports. Officer Preib denied the allegations made against him and denied observing Officer Romero, Duignan, or any officer commit the allegations. (Att.26)

In a To-From-Subject-Report, accused Officer Romero denied the allegations made against him and denied observing Officers Preib, Duignan, or any officer commit the allegations. (Att.30)

In a To-From-Subject-Report, accused Officer Duignan stated that she had no contact with [REDACTED] on the date and time of the alleged incident. Officer Duignan denied the allegations made against her and denied observing Officers Preib, Romero, or any officer commit the alleged allegations. (Att.36)

CONCLUSION:

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegations #1-2** against **Officer Martin Preib**, that he slapped [REDACTED] on the face and handcuffed him too tightly. Witness [REDACTED] did not corroborate [REDACTED] claim that Officer Preib slapped him; Officer Preib denied doing so. Additionally, the Evidence Technician Photographs depict lacerations to both of [REDACTED] wrists, however, Officers Preib and Romero reported in [REDACTED] Arrest and Vice Case Reports that [REDACTED] became agitated and thrashed around in the squad car while he was handcuffed. Without any independent witnesses, it cannot be determined when or how [REDACTED] obtained his injuries. There is insufficient evidence to prove/disprove the allegations.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegations #1-2** against **Officer Jose Romero**, that he punched [REDACTED] and handcuffed him too tightly, for the same basis cited for Allegations #1-2 against Officer Preib.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegations #1-3** against **Officer Jami Dunigan**, that she slapped [REDACTED] on the face, called him a "Pork Chop," and called him a "Roach." [REDACTED] corroborated [REDACTED] account that he was slapped while he was seated in the car; however, [REDACTED] does not corroborate other parts of [REDACTED] account. Additionally, [REDACTED] is not an independent witness. Officer Duignan stated that she had no contact with [REDACTED] on the date and time of the alleged incident, and denied committing any of the alleged acts attributed to her. Without any independent information, there is insufficient evidence to prove/disprove the allegations.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #1** against an **Unidentified Officer**, that he/she kicked [REDACTED] about the body. There are no witnesses to corroborate [REDACTED] allegation that he was kicked; nor did [REDACTED] sustain any injury consistent with being kicked. Additionally, Sergeant Baranowski and Officers Preib, Romero, Pacocha, Zaccagnino, and Lazzara denied observing any officer commit the alleged allegation. Without the identification of an accused officer, or any independent evidence, there is insufficient evidence to prove/disprove the allegations.